

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Shugo NISHI, et al.

GAU: 1793

SERIAL NO: 10/566,373

EXAMINER: ZIMMER, A.J.

FILED: January 30, 2006

FOR: AMORPHOUS SILICA PARTICLES HAVING HIGH ABSORBING  
CAPABILITIES AND HIGH STRUCTURAL CHARACTERISTICS

**NOTICE OF APPEAL**

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicants hereby appeal to the Board of Appeals from the decision dated **January 15, 2009**

The items checked below are appropriate:

- ☐ A Petition for Extension of Time Under 37 C.F.R. §1.136 was filed for \_\_\_\_\_ months.
- ☒ A timely response to the final rejection is being filed concurrently herewith.
- ☒ A Petition for Extension of Time for filing the Notice of Appeal is attached.
- ☐ A Pre-Appeal Brief Request for Review is attached.

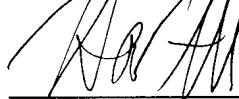
Fee: \$540.00

- ☐ Applicant claims small entity status. See 37 CFR 1.27.
- ☒ Credit card payment is being made online (if electronically filed), or is attached hereto (if paper filed), covering any required fees.
- ☐ Charge to Deposit Account No. **15-0030**.
- ☒ Please charge any additional fees or credit any overpayment of fees required for filing the Notice of Appeal to Deposit Account No. **15-0030**.
- ☒ If this notice is not considered timely filed by the U.S. Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. **15-0030**.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Norman F. Oblon



Harris A. Pitlick

Registration No. 38,779

Customer Number

**22850**

Tel. (703) 413-3000  
Fax. (703) 413-2220  
(OSMMN 11/08)